

STATE ADMINISTRATION

Exhibit No. 5

Date 1-19-07

Bill No. SB-175

Senate State Administration, January 19, 2007

Testimony of Dal Smilie, Chief Legal Counsel, in support of SB 175  
444-3310

Section 2-4-309 currently mandates that: "... a rule may not become effective prior to the effective date of the statute."

Section 2-4-306(4)(a) Each rule is effective after publication in the register, ... except that:

If a later date is ... specified in the rule, the later date is the effective date;

The current language should be clear enough. Agencies should not be enforcing rules prior to their effective date. SB 175 makes it completely clear if any agency has any question.

We support its adoption.